

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

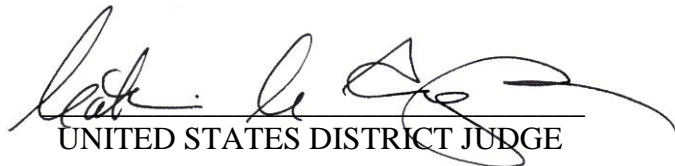
FRANK DURAND TOMLIN,)	
)	
Plaintiff,)	
)	
v.)	1:13-CV-91
)	
SCOTLAND CORRECTIONAL)	
INSTITUTION, ET AL.,)	
)	
Defendants.)	

ORDER AND JUDGMENT

The Recommendation of the United States Magistrate Judge was filed in accordance with 28 U.S.C. § 636(b) and, on February 20, 2013, was served on the parties in this action. No objections were filed within the time limits prescribed by § 636. Upon review, the Court hereby adopts the Recommendation.

IT IS THEREFORE ORDERED and ADJUDGED that this action is filed and dismissed *sua sponte* without prejudice to Plaintiff filing a new complaint, on the proper § 1983 forms, which corrects the defects cited in the Magistrate Judge's Recommendation.

This the 18th day of March, 2013.


UNITED STATES DISTRICT JUDGE